

February 12, 2021

Chairman Patrick O'Daniel
Texas Board of Criminal Justice
P.O. Box 13084
Austin, Texas 78711

Re: The negative impact of Inspect 2 Protect policies on incarcerated people and loved ones

Dear Chairman O'Daniel,

This letter is in regard to the "Inspect 2 Protect" policies that the Board voted on on February 25, 2020, and which went into effect March 1, 2020. As advocates and nonprofit organizations, we assist and represent both incarcerated individuals and thousands of family members. We are united in our deep concern that some Inspect 2 Protect program policies have been detrimental and counterproductive to the rehabilitation efforts of incarcerated individuals. Furthermore, these policies have placed additional financial and emotional burdens on both incarcerated individuals and their community of supporters in free society. Although the Texas Department of Criminal Justice (TDCJ) has stated that, "These policy revisions are not punitive but are needed to allow for detection and interdiction of easy-to-conceal drugs and technology," the reality of the situation is that for us (families, advocates, nonprofits, and incarcerated individuals), they are punitive.

While we recognize the need to keep both incarcerated individuals and TDCJ staff safe, the Inspect 2 Protect policies work against our shared interest in "promoting positive change in offender behavior and reintegrating offenders into society." We believe these policies need serious re-evaluation.

Below we have outlined our concerns around specific policy changes and propose workable solutions:

(1) Written mail coming into the unit: "Offenders may not receive greeting cards of any kind."

Concerns: Many family members and TDCJ volunteer organizations send greeting cards throughout the year to inspire and encourage people who are incarcerated. Eliminating all homemade cards has been detrimental to family and community connection, which is a large part of rehabilitation. Numerous studies – including from the American Correctional Association – have found that incarcerated individuals who maintain close contact with their family members have better post-release outcomes and lower recidivism rates. Greeting cards are one of the few sources of cheer and color in an otherwise dull and depressing atmosphere.

Suggestions: In the short term, TDCJ should limit the greeting card policy exclusively to individuals with disciplinary cases within the past year related to bringing in contraband through the mail. But as a larger effort, TDCJ should shift its focus to the root causes of the problem that spurred the policy change: substance abuse issues among incarcerated men and women. TDCJ should train and certify incarcerated individuals in certified peer support to increase peer-to-peer substance abuse treatment and recovery programs.

(2) Electronic messages: “TDCJ encourages electronic messaging to reduce the entrance of contraband.”

Concerns: While electronic messaging can be a helpful alternative to greeting cards, it is often a more expensive option than sending items by mail. For example, the cost for current nonprofit groups to send or provide cards for incarcerated women has escalated from \$2,000 to over \$75,000 due to the required use of third-party vendors. Also, many family members are unable to use this option because they lack computer literacy.

Suggestion: Again, until TDCJ focuses on addressing the underlying issues that drove the Inspect 2 Protect policies, it should consider developing its own electronic mail system that is free to use, rather than directing families to the for-profit companies that currently offer this service at costly rates.

(3) Money being sent into the units: “Only persons on an offender’s visitation or OTS call lists may deposit funds or make Ecomm transactions.”

Concerns: This is a punitive action for individuals who have been following the rules. Already, visitation is at an indeterminate standstill, so incarcerated individuals are losing critical access to their family members and friends. On top of that, they are losing access to funds from people who may never have been on their visitation or phone lists, but who send money to support them. This is especially challenging to indigent individuals.

At the same time, many incarcerated individuals have no one to call or visit them; this commissary restriction creates a barrier to vital support networks for those who do not have close friends or family.

Limitations on outside support can make it difficult for incarcerated people to purchase basic items, such as toilet paper. Such measures not only strip people of their basic dignity and capacity to remain hygienic (always essential in preventing the spread of disease), but they also create conditions for sexual violence to thrive. Reports from incarcerated people, in Texas and nationwide, have felt forced to “trade” sex for access to basic sanitary products.

Suggestion: To improve family connection and rehabilitation, TDCJ should create child-friendly video visitation (tele-play therapy), offer free phone calls to

incarcerated parents or caretakers to help their kids with homework, and offer longer and more frequent family interaction opportunities.

Advocates across Texas want to ensure that Inspect 2 Protect policies are adjusted as we suggest here. Please consider the serious implications that these policy changes have on a person's emotional well-being while incarcerated and their successful reentry after incarceration.

We strongly urge you and the larger Texas Board of Criminal Justice to review these arbitrary policy changes, and we urge TDCJ to examine the collateral costs and consider our suggestions here instead. We honor, support, and applaud all TDCJ efforts that focus on the successful rehabilitation and reintegration of the individuals under your charge.

Sincerely,

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